

Amendment to the claims

This listing of claims replaces all prior versions, and listings, of claims in the application.

Listing of Claims

1. (Currently amended) A An isolated gene encoding the p51 promoter region shown in the following (1), ~~(2)~~, and (3), ~~(4)~~, ~~(5)~~, ~~or~~ ~~(6)~~:

(1) DNA that encodes the p51 promoter region having the base sequence as set forth in SEQ ID NO: 1 of the sequence listing; and

~~_____ (2) DNA that has a base sequence in which one or a plurality of bases have been deleted, substituted, or added in the base sequence as set forth in SEQ ID NO: 1 of the sequence listing, and that has p51 promoter activity;~~

(3) DNA that hybridizes to the base sequence as set forth in SEQ ID NO: 1 of the sequence listing under a stringent condition, and that has p51 promoter activity;

~~_____ (4) DNA that has the base sequence as set forth in SEQ ID NO: 2 of the sequence listing and that encodes the p51 promoter region and the 5' untranslated region of p51;~~

~~_____ (5) DNA that has a base sequence in which one or a plurality of bases have been deleted, substituted, or added in the base sequence as set forth in SEQ ID NO: 2 of the sequence listing, and that has p51 promoter activity;~~
and

~~(6) DNA that hybridizes to the base sequence as set forth in SEQ ID NO: 2 of the sequence listing under a stringent condition, and that has p51 promoter activity.~~

2. (Cancelled)

3. (Original) A recombinant plasmid comprising the gene of claim 1.

4. (Original) A transformant or a transductant comprising the recombinant plasmid of claim 3.

5. (Currently amended) A nucleic acid probe comprising all or parts of the gene of claim 1 ~~or 2~~.

6.-11. (Cancelled)